

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

BANK OF HOPE,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION FILE
v.	)	NO. 2:20-cv-00155-MHT-CWB
	)	
DAYK ENTERPRISES, INC. DBA	)	
COUNTRY INN & SUITES	)	
MONTGOMERY EAST, DAE SON	)	
SONG and KANG SUN SONG,	)	
	)	
Defendants.	)	

---

**MOTION FOR DEFAULT JUDGMENT AS TO DAYK ENTERPRISES,  
INC. DBA COUNTRY INN & SUITES MONTGOMERY EAST**

Plaintiff Bank of Hope (“Lender”) hereby files this Motion for Default Judgment as to Defendant Dayk Enterprises, Inc. dba Country Inn & Suites Montgomery East (“Borrower”) pursuant to Rule 55 of the Federal Rules of Civil Procedure and shows the Court as follows:

1. Lender’s Verified Complaint was filed on March 5, 2020 (Doc. No. 1). Lender filed an executed Proof of Service (Doc. No. 7) reflecting valid service of the Summons and Complaint on Borrower via process server. Corporate service was perfected on March 12, 2020, by hand delivery upon Kang Sun Song as Secretary. The Summons and Return of Service is attached hereto as **Exhibit A**.

2. The time by which Borrower may answer or otherwise plead to the Complaint has expired, and to date, Borrower has not filed a valid answer or response.

3. The Clerk entered a default against Borrower on December 9, 2020 (Doc. No. 25).

4. This motion is supported by a separate memorandum of law, which is filed contemporaneously herewith, by the declaration of Sang Hyeon Cho, which is attached hereto as **Exhibit B** and by the declaration of Gregory M. Taube, which is attached hereto as **Exhibit C**.

WHEREFORE, Lender prays that the Court will enter default judgment in favor of Lender and against Borrower, thus:

- (a) in the amount of at least \$5,812,555.89, which includes outstanding principal of \$4,121,888.69, accrued but unpaid interest in the amount of \$1,131,871.27, late charges of \$86,081.62, and other miscellaneous charges totaling \$420,587.92, plus attorney's fees and expenses of \$52,126.39. Interest is continuing to accrue at the rate of \$846.96 per diem. An itemized list of the miscellaneous charges is reflected on the payoff statement that is part of Exhibit F, plus court costs and other costs of collection; and
- (b) granting such further and other relief as it deems just and appropriate.

This 8th day of December, 2022.

/s/ Gregory M. Taube

Gregory M. Taube

Alabama Bar No. ASB-4499-A41G

Attorney for Plaintiff

NELSON MULLINS RILEY & SCARBOROUGH LLP

201 17th Street, N.W., Suite 1700

Atlanta, GA 30363

(404) 322-6000 (Phone)

(404) 322-6050 (Fax)

greg.taube@nelsonmullins.com

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the within and foregoing *MOTION FOR DEFAULT JUDGMENT AS TO DAYK ENTERPRISES, INC. DBA COUNTRY INN & SUITES MONTGOMERY EAST* with the Clerk of Court using CM/ECF system, which will automatically send email notification to the any attorneys of record by depositing a copy of same in the United States Mail in a properly addressed envelope with sufficient postage affixed thereto to ensure delivery to the following:

Dayk Enterprises, Inc. dba Country Inn & Suites Montgomery East,  
c/o Dae Son Song, Registered Agent  
8720 Ryan Ridge Loop  
Montgomery, AL 36117

Dae Son Song  
8720 Ryan Ridge Loop  
Montgomery, AL 36117

Kang Sun Song  
8720 Ryan Ridge Loop  
Montgomery, AL 36117

This 8th day of December, 2022.

/s/ Gregory M. Taube

Gregory M. Taube  
Alabama Bar No. ASB-4499-A41G

Attorney for Plaintiff

NELSON MULLINS RILEY & SCARBOROUGH LLP  
201 17th Street, N.W., Suite 1700  
Atlanta, GA 30363  
(404) 322-6000 (Phone)  
(404) 322-6050 (Fax)  
greg.taube@nelsonmullins.com